

RE

STEVEN E. PEGALIS
MEMBER OF NEW YORK & PENNSYLVANIA BARS

STEPHEN E. ERICKSON
MEMBER OF NEW YORK & NEW JERSEY BARS

ANNAMARIE BONDI-STODDARD
MEMBER OF NEW YORK & NEW JERSEY BARS

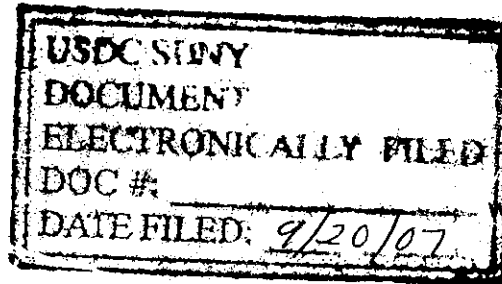
JAMES B. BAYDAR
SANFORD S. NAGROTSKY

RHONDA L. MEYER

GERHARDT M. NIELSEN

ROBERT V. FALLARINO
MEMBER OF NEW YORK & DISTRICT OF COLUMBIA BARS

LINDA M. OLIVA



1 HOLLOW LANE
SUITE 107
E SUCCESS, NEW YORK 11042

(516) 684-2900

(212) 517-9995

(718) 567-7171

TOLL FREE (866) 833-6257

FAX (516) 684-2939

www.pegalisanderickson.com

DORI ANN CACIOPPO, RN
NURSE CONSULTANT

September 20, 2007

VIA FACSIMILE - 212-805-7933

Hon. Andrew J. Peck
United States Magistrate Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Suite 1370
New York, New York 10007

MEMO ENDORSED *p2*

Re: Sakif, et al. v. The United States
No. 06 CV 2719 (AJP)

Dear Judge Peck:

As you are aware, you placed this matter on the suspense docket so that plaintiff could pursue the State Court action. We were able to obtain the consent for Bronx Lebanon Hospital to proceed in State Court. Counsel for the Hospital has stipulated to serve an answer on or before October 18, 2007. Plaintiff has agreed that individual answers need not be served for employee residents, Maria Emerson, M.D., Iris Amarante, M.D., Dara Forester, M.D. and Mauricio Silva, M.D. Plaintiffs have been unable to obtain the consent of Lawrence Ham, M.D. and as such, an Order to Show Cause has been filed in the Supreme Court, County of Bronx under the original index number. I will keep you advised as to the status of the State Court proceeding as information becomes available.

PEGALIS & ERICKSON, LLC

Hon. Andrew J. Peck
September 20, 2007
Page 2

Thank you for your attention to this matter.

Very truly yours,

PEGALIS & ERICKSON, LLC

Rhonda L. Meyer
Rhonda L. Meyer

RLM:bc

cc: Nicholas Marotta 212-227-6050 (via facsimile)
Dwyer & Taglia

Elliot Zucker 212-593-6970 (via facsimile)
Aaronson, Rappaport, Feinstein & Deutsch

Matthew Schwartz - 212-637-2750 (via facsimile)
U.S. Attorney's Office

MEMO ENDORSED 9/20/07

1. The court will remain stayed until further order.
2. Plaintiff's next status report is due 10/15 (as was the 15th May report).
under this report, until further order.

SO ORDERED:

Andrew J. Peck
Hon. Andrew J. Peck
United States Magistrate Judge

G. J. R. Allard

BY FAX

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: September 20, 2007

Total Number of Pages: 3

| TO | FAX NUMBER |
|---------------------------|--------------|
| Rhonda L. Meyer, Esq. | 516-684-2939 |
| Matthew L. Schwartz, Esq. | 212-637-2750 |
| Elliot J. Zucker, Esq. | 212-593-6970 |
| Nicholas Marotta, Esq. | 212-227-6050 |

TRANSCRIPTION:

MEMO ENDORSED 9/20/07

1. The case will remain stayed and on the suspense calendar until further Court order.
2. Plaintiff's next status report is due 10/15 (and, as necessary, on the 15th of every month thereafter, until further Court order).